

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

ENDL et al.

Application Number: US 09/343,406

Filed: June 30, 1999

For: ANTIGEN-SPECIFIC ACTIVATED T-LYMPHOCYTES, DETECTION AND
USE



Atty. Docket No.: 100564-09014

Group Art Unit: 1644

Examiner: M. DiBrino

TECH CENTER 1600/2900

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#20/F
4/30/02

STATEMENT UNDER 37 C.F.R. § 1.821

Commissioner of Patents
Washington, D.C. 20231

April 16, 2002

Sir:

In accordance with 37 C.F.R. § 1.821 and in accordance with the Examiner's request, Applicant hereby resubmits the Sequence Listing for the above-referenced application in paper copy and computer readable form.

The name of the file on the computer readable form is 100564-09014.txt. The paper copy and computer readable form are the same, and no new matter has been added.

In the event that this paper is not considered timely filed, Applicant hereby petitions for an appropriate extension of time. If necessary, please charge any additional amounts or credit any overpayments to Direct Deposit Account Number 01-2300 referring to client matter number 100564-09014.

Respectfully Submitted,

ARENT FOX KINTNER PLOTKIN & KAHN, PLLC



D. Daniel Dzara, II

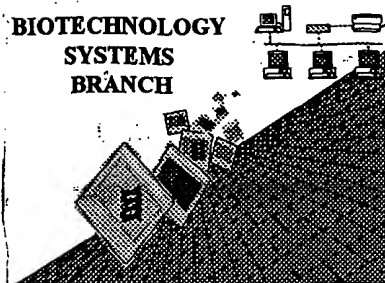
Reg. No. 47,543

Attorney for Applicant

Arent Fox Kintner Plotkin & Kahn, PLLC
1050 Connecticut Avenue, N.W.
Washington, DC 20036-5339
(202) 857-6000
(202) 857-6395 (fax)

Enclosures:

- Sequence Listing on Diskette
- Sequence Listing in Paper Form
- Copy of Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures
- Petition for Extension of Time for One Month



1644 #17

RAW SEQUENCE LISTING ERROR REPORT

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APR 19 2002
TECH CENTER 1600/2900

The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number: 09/343,406A
Source: 1600
Date Processed by STIC: 1/16/2002

THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.

PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:

- 1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANT, WITH A NOTICE TO COMPLY or,
- 2) TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT, WITH A NOTICE TO COMPLY

FOR CRF SUBMISSION QUESTIONS, PLEASE CONTACT MARK SPENCER, 703-308-4212.

FOR SEQUENCE RULES INTERPRETATION, PLEASE CONTACT ROBERT WAX, 703-308-4216.

PATENTIN 2.1 e-mail help: patin21help@uspto.gov or phone 703-306-4119 (R. Wax)

PATENTIN 3.0 e-mail help: patin3help@uspto.gov or phone 703-306-4119 (R. Wax)

TO REDUCE ERRORED SEQUENCE LISTINGS, PLEASE USE THE CHECKER
VERSION 3.1 PROGRAM, ACCESSIBLE THROUGH THE U.S. PATENT AND
TRADEMARK OFFICE WEBSITE. SEE BELOW FOR ADDRESS:

<http://www.uspto.gov/web/offices/pac/checker>

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail.

Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom, including:

1. EFS-Bio (<<http://www.uspto.gov/ebc/efs/downloads/documents.htm>> , EFS Submission User Manual - ePAVE)

2. U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202

3. Hand Carry directly to:

U.S. Patent and Trademark Office, Technology Center 1600, Reception Area, 7th Floor, Examiner Name,
Sequence Information, Crystal Mall One, 1911 South Clark Street, Arlington, VA 22202

Or

U.S. Patent and Trademark Office, Box Sequence, Customer Window, Lobby, Room 1B03, Crystal Plaza Two,
2011 South Clark Place, Arlington, VA 22202

4. Federal Express, United Parcel Service, or other delivery service to : U.S. Patent and Trademark Office,
Box Sequence, Room 1B03-Mailroom, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202

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JAN 28 2002

Raw Sequence Listing Error Summary

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ERROR DETECTED

SUGGESTED CORRECTION

SERIAL NUMBER: 09/343,406A

ATTN: NEW RULES CASES: PLEASE DISREGARD ENGLISH "ALPHA" HEADERS, WHICH WERE INSERTED BY PTO SOFTWARE

- 1 Wrapped Nucleics
 Wrapped Aminos The number/text at the end of each line "wrapped" down to the next line. This may occur if your file was retrieved in a word processor after creating it. Please adjust your right margin to .3; this will prevent "wrapping."
- 2 Invalid Line Length The rules require that a line not exceed 72 characters in length. This includes white spaces.
- 3 Misaligned Amino
 Numbering The numbering under each 5th amino acid is misaligned. Do not use tab codes between numbers; use space characters, instead.
- 4 Non-ASCII The submitted file was not saved in ASCII(DOS) text, as required by the Sequence Rules. Please ensure your subsequent submission is saved in ASCII text.
- 5 Variable Length Sequence(s) 1 contain n's or Xaa's representing more than one residue. Per Sequence Rules, each n or Xaa can only represent a single residue. Please present the maximum number of each residue having variable length and indicate in the <220>-<223> section that some may be missing.
- 6 PatentIn 2.0
 "bug" A "bug" in PatentIn version 2.0 has caused the <220>-<223> section to be missing from amino acid sequences(s) . Normally, PatentIn would automatically generate this section from the previously coded nucleic acid sequence. Please manually copy the relevant <220>-<223> section to the subsequent amino acid sequence. This applies to the mandatory <220>-<223> sections for Artificial or Unknown sequences.
- 7 Skipped Sequences
 (OLD RULES) Sequence(s) missing. If intentional, please insert the following lines for each skipped sequence:
 (2) INFORMATION FOR SEQ ID NO:X: (insert SEQ ID NO where "X" is shown)
 (i) SEQUENCE CHARACTERISTICS: (Do not insert any subheadings under this heading)
 (xi) SEQUENCE DESCRIPTION:SEQ ID NO:X: (insert SEQ ID NO where "X" is shown)
 This sequence is intentionally skipped

 Please also adjust the "(ii) NUMBER OF SEQUENCES:" response to include the skipped sequences.
- 8 Skipped Sequences
 (NEW RULES) Sequence(s) missing. If intentional, please insert the following lines for each skipped sequence.
 <210> sequence id number
 <400> sequence id number
 000
- 9 Use of n's or Xaa's
 (NEW RULES) Use of n's and/or Xaa's have been detected in the Sequence Listing.
 Per 1.823 of Sequence Rules, use of <220>-<223> is MANDATORY if n's or Xaa's are present.
 In <220> to <223> section, please explain location of n or Xaa; and which residue n or Xaa represents.
- 10 Invalid <213>
 Response Per 1.823 of Sequence Rules, the only valid <213> responses are: Unknown, Artificial Sequence, or scientific name (Genus/species). <220>-<223> section is required when <213> response is Unknown or is Artificial Sequence
- 11 Use of <220> Sequence(s) missing the <220> "Feature" and associated numeric identifiers and responses.
 Use of <220> to <223> is MANDATORY if <213> "Organism" response is "Artificial Sequence" or "Unknown." Please explain source of genetic material in <220> to <223> section.
 (See "Federal Register," 06/01/1998, Vol. 63, No. 104, pp. 29631-32) (Sec. 1.823 of Sequence Rules)
- 12 PatentIn 2.0
 "bug" Please do not use "Copy to Disk" function of PatentIn version 2.0. This causes a corrupted file, resulting in missing mandatory numeric identifiers and responses (as indicated on raw sequence listing). Instead, please use "File Manager" or any other manual means to copy file to floppy disk.
- 13 Misuse of n n can only be used to represent a single nucleotide in a nucleic acid sequence. N is not used to represent any value not specifically a nucleotide.



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Page 1 of 7

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1600

RAW SEQUENCE LISTING

DATE: 01/16/2002

PATENT APPLICATION: US/09/343,406A

TIME: 13:10:58

Input Set : A:\100564-09014.txt

Output Set: N:\CRF3\01162002\I343406A.raw

**Does Not Comply
Corrected Diskette Needed**

3 <110> APPLICANT: Endl, Josef
4 Stahl, Peter
5 Albert, Winfried
6 Jung, Guenther-Gerhard
7 Schendel, Dolores
8 Meinl, Edgar
9 Dornmair, Klaus
11 <120> TITLE OF INVENTION: ANTIGEN-SPECIFIC ACTIVATED T-LYMPHOCYTES, DETECTION AND USE
13 <130> FILE REFERENCE: 100564-09014
15 <140> CURRENT APPLICATION NUMBER: 09/343,406A
16 <141> CURRENT FILING DATE: 1999-06-30
18 <150> PRIOR APPLICATION NUMBER: 08/967,242
19 <151> PRIOR FILING DATE: 1997-11-05
21 <150> PRIOR APPLICATION NUMBER: 08/374,468
22 <151> PRIOR FILING DATE: 1995-01-18
24 <150> PRIOR APPLICATION NUMBER: DE P 44 18 091.8
25 <151> PRIOR FILING DATE: 1994-05-24
27 <150> PRIOR APPLICATION NUMBER: DE P 44 03 522.5
28 <151> PRIOR FILING DATE: 1994-02-04
30 <150> PRIOR APPLICATION NUMBER: DE P 44 01 629.8
31 <151> PRIOR FILING DATE: 1994-01-20
34 <160> NUMBER OF SEQ ID NOS: 39
36 <170> SOFTWARE: PatentIn version 3.1
38 <210> SEQ ID NO: 1
39 <211> LENGTH: 8
40 <212> TYPE: PRT
41 <213> ORGANISM: Homo sapiens
43 <220> FEATURE:
44 <221> NAME/KEY: MISC_FEATURE
45 <222> LOCATION: (1)..(1)
46 <223> OTHER INFORMATION: "X" is an optional sequence selected from 1 to 10 amino acids
49 <400> SEQUENCE: 1
W--> 51 Xaa Pro Glu Val Lys Thr Lys Glx
52 1 5
55 <210> SEQ ID NO: 2
56 <211> LENGTH: 25
57 <212> TYPE: PRT
58 <213> ORGANISM: Homo sapiens
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63 1 5 10 15
66 His Phe Ser Leu Lys Lys Gly Ala Ala
67 20 25
70 <210> SEQ ID NO: 3
71 <211> LENGTH: 20
72 <212> TYPE: PRT
73 <213> ORGANISM: Homo sapiens

*see item 5 on Enon
summary sheet*

RAW SEQUENCE LISTING

DATE: 01/16/2002

PATENT APPLICATION: US/09/343,406A

TIME: 13:10:58

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Output Set: N:\CRF3\01162002\I343406A.raw

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87 <212> TYPE: PRT
88 <213> ORGANISM: Homo sapiens
90 <400> SEQUENCE: 4
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93 1          5          10
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97 <211> LENGTH: 20
98 <212> TYPE: PRT
99 <213> ORGANISM: Homo sapiens
101 <400> SEQUENCE: 5
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104 1          5          10          15
107 His Phe Ser Leu
108          20
111 <210> SEQ ID NO: 6
112 <211> LENGTH: 20
113 <212> TYPE: PRT
114 <213> ORGANISM: Homo sapiens
116 <400> SEQUENCE: 6
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119 1          5          10          15
122 Leu Lys Lys Gly
123          20
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127 <211> LENGTH: 20
128 <212> TYPE: PRT
129 <213> ORGANISM: Homo sapiens
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134 1          5          10          15
137 Gly Ala Ala Ala
138          20
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142 <211> LENGTH: 20
143 <212> TYPE: PRT
144 <213> ORGANISM: Homo sapiens
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149 1          5          10          15
152 Phe Thr Ser Glu
153          20
156 <210> SEQ ID NO: 9

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RAW SEQUENCE LISTING

DATE: 01/16/2002

PATENT APPLICATION: US/09/343,406A

TIME: 13:10:58

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164 1 5 10 15
167 Ser Leu
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172 <211> LENGTH: 16
173 <212> TYPE: PRT
174 <213> ORGANISM: Homo sapiens
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179 1 5 10 15
182 <210> SEQ ID NO: 11
183 <211> LENGTH: 14
184 <212> TYPE: PRT
185 <213> ORGANISM: Homo sapiens
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190 1 5 10
193 <210> SEQ ID NO: 12
194 <211> LENGTH: 14
195 <212> TYPE: PRT
196 <213> ORGANISM: Homo sapiens
198 <400> SEQUENCE: 12
200 Ala Ala Leu Pro Arg Leu Ile Ala Phe Thr Ser Glu His Ser
201 1 5 10
204 <210> SEQ ID NO: 13
205 <211> LENGTH: 14
206 <212> TYPE: PRT
207 <213> ORGANISM: Homo sapiens
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212 1 5 10
215 <210> SEQ ID NO: 14
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217 <212> TYPE: PRT
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223 1 5 10
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229 <213> ORGANISM: Homo sapiens
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233 Leu Pro Arg Leu Ile Ala Phe Thr Ser Glu His Ser His Phe Ser Leu
234 1 5 10 15

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RAW SEQUENCE LISTING

DATE: 01/16/2002

PATENT APPLICATION: US/09/343,406A

TIME: 13:10:58

Input Set : A:\100564-09014.txt

Output Set: N:\CRF3\01162002\I343406A.raw

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249 1 5 10
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253 <211> LENGTH: 14
254 <212> TYPE: PRT
255 <213> ORGANISM: Homo sapiens
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265 <212> TYPE: PRT
266 <213> ORGANISM: Homo sapiens
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275 <211> LENGTH: 14
276 <212> TYPE: PRT
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288 <213> ORGANISM: Homo sapiens
290 <400> SEQUENCE: 20
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293 1 5 10
296 <210> SEQ ID NO: 21
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299 <213> ORGANISM: Homo sapiens
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304 1 5 10
307 <210> SEQ ID NO: 22
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309 <212> TYPE: PRT
310 <213> ORGANISM: Homo sapiens
312 <400> SEQUENCE: 22
314 Tyr Asp Leu Ser Tyr Asp Thr Gly Asp Lys Ala Leu Gln Cys

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RAW SEQUENCE LISTING

DATE: 01/16/2002

PATENT APPLICATION: US/09/343,406A

TIME: 13:10:58

Input Set : A:\100564-09014.txt

Output Set: N:\CRF3\01162002\I343406A.raw

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326 1          5          10
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331 <212> TYPE: PRT
332 <213> ORGANISM: Homo sapiens
334 <400> SEQUENCE: 24
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337 1          5          10
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341 <211> LENGTH: 14
342 <212> TYPE: PRT
343 <213> ORGANISM: Homo sapiens
345 <400> SEQUENCE: 25
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353 <212> TYPE: PRT
354 <213> ORGANISM: Homo sapiens
356 <400> SEQUENCE: 26
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365 <213> ORGANISM: Homo sapiens
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370 1          5          10
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376 <213> ORGANISM: Homo sapiens
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387 <213> ORGANISM: Homo sapiens
389 <400> SEQUENCE: 29
391 Leu Glu Tyr Val Thr Leu Lys Lys Met Arg Glu Ile Ile Gly
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VERIFICATION SUMMARY

DATE: 01/16/2002

PATENT APPLICATION: US/09/343,406A

TIME: 13:10:59

Input Set : A:\100564-09014.txt

Output Set: N:\CRF3\01162002\I343406A.raw

L:51 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:1

Attachment for PTO-948 (Rev. 03/01, or earlier)

6/18/01

The below text replaces the pre-printed text under the heading, "Information on How to Effect Drawing Changes," on the back of the PTO-948 (Rev. 03/01, or earlier) form.

INFORMATION ON HOW TO EFFECT DRAWING CHANGES

1. Correction of Informalities -- 37 CFR 1.85

New corrected drawings must be filed with the changes incorporated therein. Identifying indicia, if provided, should include the title of the invention, inventor's name, and application number, or docket number (if any) if an application number has not been assigned to the application. If this information is provided, it must be placed on the front of each sheet and centered within the top margin. If corrected drawings are required in a Notice of Allowability (PTOL-37), the new drawings **MUST** be filed within the **THREE MONTH** shortened statutory period set for reply in the Notice of Allowability. Extensions of time may **NOT** be obtained under the provisions of 37 CFR 1.136(a) or (b) for filing the corrected drawings after the mailing of a Notice of Allowability. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

2. Corrections other than Informalities Noted by Draftsperson on form PTO-948.

All changes to the drawings, other than informalities noted by the Draftsperson, **MUST** be made in the same manner as above except that, normally, a highlighted (preferably red ink) sketch of the changes to be incorporated into the new drawings **MUST** be approved by the examiner before the application will be allowed. No changes will be permitted to be made, other than correction of informalities, unless the examiner has approved the proposed changes.

Timing of Corrections

Applicant is required to submit the drawing corrections within the time period set in the attached Office communication. See 37 CFR 1.85(a).

Failure to take corrective action within the set period will result in **ABANDONMENT** of the application.